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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,010	01/19/2000	Takeshi Hoshino	500.38106X00	5763

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EXAMINER
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BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/463,010

Applicant(s)

HOSHINO ET AL.

Examiner

X L Bautista

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 12-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-5 and 12-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities: the limitation recited in lines 7-9 appears as it should be written --arranging the contents display zones such that a contents display zone to which contents information [items] selected by [a] user [belong] at a position near a center of the screen in a longitudinal direction thereof--. Please review carefully and make any necessary correction.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, 3, 12, 14-16, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by *Kojima et al* (US 6,236,398 B1).**

**Claims 1 and 21:**

Kojima discloses a multimedia information display method of displaying contents of a plurality of multimedia (abstract; col. 2, lines 53-58). The method provides a plurality of content display zones (book icons, fig. 3A; genre, fig. 4A) in a virtual three-dimensional space on a screen to arrange contents information items (media content, fig. 3B) corresponding to a plurality of contents selected for each contents display zones (abstract; col. 2, lines 59-64; col. 5, lines 14-19; col. 6, lines 17-67). The contents information item selected by a user are placed at a position near a center of the screen in a longitudinal direction from the center (col. 6, lines 17-64; col. 7, lines 12-34).

**Claims 3, 12, 14, 15, and 16:**

See claim 1. Kojima teaches that the icons are easier to recognize owing to their three-dimensional shape in the depth direction, and that the ones disposed in the depth of the space may be smaller. Kojima teaches that the icons may be selected by positioning a cursor on the icon by using a mouse, but because their size may change and their location may be frequently designated the invention uses a media-selecting device to turn the icons in a clockwise and counterclockwise direction (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

**Claim 22:**

See claim 3. Kojima teaches displaying contents display zone in a circle near the center in the lower region of the screen and turning the contents display zones in response to the user's selection (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2, 5, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima* in view of *Card et al* (US 5,838,326 A).**

**Claim 2:**

Kojima does not teach that the contents information items have sizes determined according to a utilization degree of user. However, Card discloses a three-dimensional document workspace for interacting with large numbers of document objects (abstract; col. 2, lines 65-67; col. 3, lines 1-13). The document

workspace is divided hierarchically in terms of interaction rates (abstract; col. 3, lines 14-29). Card teaches that the document objects have sizes determined according to a utilization degree of user (abstract; col. 3, lines 25-29; col. 7, lines 17-18, 32-39). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kojima to include Card's teaching of changing the size of the items according to their use because

**Claim 5:**

Kojima teaches that the icons have different location information (abstract; col. 3, lines 19-20; col. 10, lines 59-60) but does not teach that this information is according to history of use. However, Card teaches that a document object contains display/manipulation information, which refers to data defining how the text and image data is to be presented to the user (col. 8, lines 15-21, 27-44). Therefore, it would have been obvious to one ordinarily skilled in the art at the time of invention to include Card's teaching of an icon's use history in Kojima because the item's priority is determined according to the number of selection times of the icon, which means that the item that has been used more recently will be displayed near the center of the screen facilitating the user's recognition and selection of the object.

**Claim 13:**

See claims 2, 5, and 12. Card teaches a document workspace divided

hierarchically in terms of interaction rates. A focus space is where direct interaction with a document object occurs. The focus space is generally the center of the display area. An immediate memory space is for placing documents objects that are in use, but not currently being interacted with, and is divided into an air space and a desk space (not currently being viewed). The air space is located behind the focus space and is divided into sub-areas. Each sub-area corresponds to a distance back (in the z-direction) in which the document object is positioned. The further back, the smaller the size of the representation of the document object (col. 3, lines 14-29; col. 9, lines 57-67; fig. 2a). Thus, it would have been obvious to modify Kojima to include Card's teaching of changing the size of icons as positions become deeper because it facilitates the recognition of and access to the most recently used contents information items.

**7. Claims 4 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima* in view of *Gallup et al* (US 6,201,540 B1).**

**Claim 4:**

Kojima teaches that a document object is visually represented depending on what it represents but it does not teach that the objects have different contours corresponding to kinds of media. However, Gallup discloses an automobile computer system having a computer configured to support multiple applications. A

plurality of application icons are scrollable across the visual operator interface by a user. The operator interface has a fixed focus position, wherein any application icon that is scrolled to the fixed focus position becomes focused and can be activated to select the application corresponding to the focused application icon. The icons have different shapes corresponding to kinds of media (abstract; col. 1, lines 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Gallup's icons in Kojima's invention because they provide the user with graphical indication about the kind of media that represents and it also facilitates selection.

Claims 17, 18, 19, and 20:

See claims 1, 4, and 12. Kojima does not teach that the multimedia information display method is for use with a display employed in a car. However, Gallup teaches menus of available application programs and Graphical control elements that are available to the application programs from an operating system of an automotive accessory (abstract; col. 1, lines 5-12, 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Gallup teaches an automotive accessory 50 that can be used to integrate multiple vehicle-related systems onto one open platform. For instance, the accessory can serve as a multimedia entertainment system, a navigation system, a communications system, etc., (col. 4, lines 24-37). Thus, it would have



been obvious to one having ordinary skill in the art at the time the invention was made to include Gallup's teachings of a multimedia information display mounted on a car in Kojima's invention because people are enabled to be well informed while traveling in automobiles; they can tune into local radio stations to listen to news, weather forecasts and traffic conditions; they can access local map information, and even keep in touch with their homes and offices, and to confirm appointments, and all of these can be possible by having an information control system mounted in the automobile, which facilitates the user's retrieval and/or dissemination of information.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gerba al (US 6,492,997 B1) discloses a method for providing content in an organized and categorized manner. The method delivers television programming, which is categorized in domains and for delivering navigational tools that provide information about and access to multiple channels or programs. Users can navigate through the domains, tools, and channels with a feeling of three-dimensional movement.


Miyao et al ((US 6,466,237 B1) discloses an information managing device for manipulating electronic files, which displays thumbnail images associated with the stored files. The thumbnail images are displayed in cluster of file bundles so as to partially overlap each other in a three-dimensional configuration. The images can

be displayed in a rotation, clockwise and anti-clockwise.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on M-Th (8:00-18:00) Fridays Off.

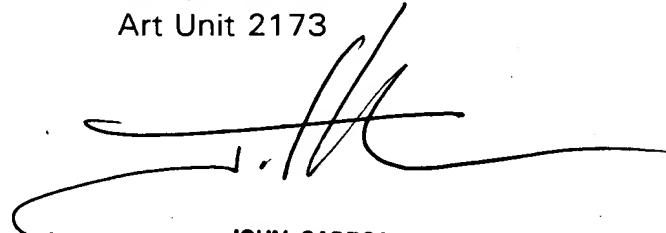
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



X L Bautista  
Patent Examiner  
Art Unit 2173

xlb  
May 11, 2003



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
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